

**Before the
Federal Communications Commission
Washington, D.C. 20554**

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|-------------------------|---|---------------------|
| In the Matter of |) | |
| |) | |
| Creation of a Low Power |) | MM Docket No. 99-25 |
| Radio Service |) | |
| |) | |

**SECOND ORDER ON RECONSIDERATION AND
FURTHER NOTICE OF PROPOSED RULEMAKING**

REPLY COMMENTS OF: MICHAEL R. BIRDSILL.

These REPLY COMMENTS are directed at those COMMENTS filed by other parties expressly opposing the Transfer of Control and Assignment of Licenses/Permits of LPFM Stations. These parties do not offer any evidence, empirical or otherwise, that allowing the LPFM Rules to be brought into line with the corresponding Rules for other Broadcast Services will be harmful to LPFM Stations and the Audiences they serve.

Rather, they make vague statements about how LPFM Stations will become a “commodity” that will be bought and sold by “corporate radio” companies, just “like commercial radio stations”.

This notion completely ignores facts; such as Full Power NCE Stations are routinely transferred via both Transfer of Control and Assignment of Licenses/Permits, with no observable negative effect on that Broadcast Service. That LPFM Local Ownership and Cross Ownership requirements make it unlikely that any “corporate radio” company would qualify for ownership of an LPFM Station. Furthermore, given the “Local” nature of LPFM Stations (read: small power/small coverage/small audience), the value of these Stations, in dollars, is quite limited. And finally, is it really preferable that an LPFM Station go OFF THE AIR if a Licensee/Permitee decides to not continue with the endeavor ???? Or is the listening Audience better served by keeping the local LPFM Station ON THE AIR, having been Transferred/Assigned to another Local Non-profit group ???

Therefore, I urge the Commission to allow the Transfer of Control and Assignment of Licenses/Permits of LPFM Stations, without any restrictions, other than the proposed Permittee/Licensee meet LPFM eligibility criteria to be an LPFM Permittee/Licensee, which would include non-stock companies.

Respectfully submitted,

Michael R. Birdsill

Date: 13 Sept. 2005.